

**SEMINOLE COUNTY GOVERNMENT
BOARD OF ADJUSTMENT
AGENDA MEMORANDUM**

SUBJECT: REQUEST FOR SPECIAL EXCEPTION TO EXPAND AN EXISTING WASTEWATER TREATMENT PLANT ON PROPERTY ZONED R-1 (SINGLE-FAMILY DWELLING DISTRICT); (FLORIDA WASTEWATER SERVICES, APPLICANT).

DEPARTMENT: Planning & Development **DIVISION:** Planning

AUTHORIZED BY: Earnest McDonald **CONTACT:** Kathy Fall **EXT.** 7389

Agenda Date 06-23-03 **Regular** ☐ **Consent** ☐ **Public Hearing – 6:00** ☒

MOTION/RECOMMENDATION:

1. **APPROVE** THE REQUEST FOR SPECIAL EXCEPTION TO EXPAND AN EXISTING WASTEWATER TREATMENT PLANT ON PROPERTY ZONED R-1 (SINGLE-FAMILY DWELLING DISTRICT); (FLORIDA WASTEWATER SERVICES, APPLICANT); OR
2. **DENY** THE REQUEST FOR SPECIAL EXCEPTION TO EXPAND AN EXISTING WASTEWATER TREATMENT PLANT ON PROPERTY ZONED R-1 (SINGLE-FAMILY DWELLING DISTRICT); (FLORIDA WASTEWATER SERVICES, APPLICANT); OR
3. **CONTINUE** THE REQUEST TO A TIME AND DATE CERTAIN.

(Commission District #1, Maloy)

(Kathy Fall, Senior Planner)

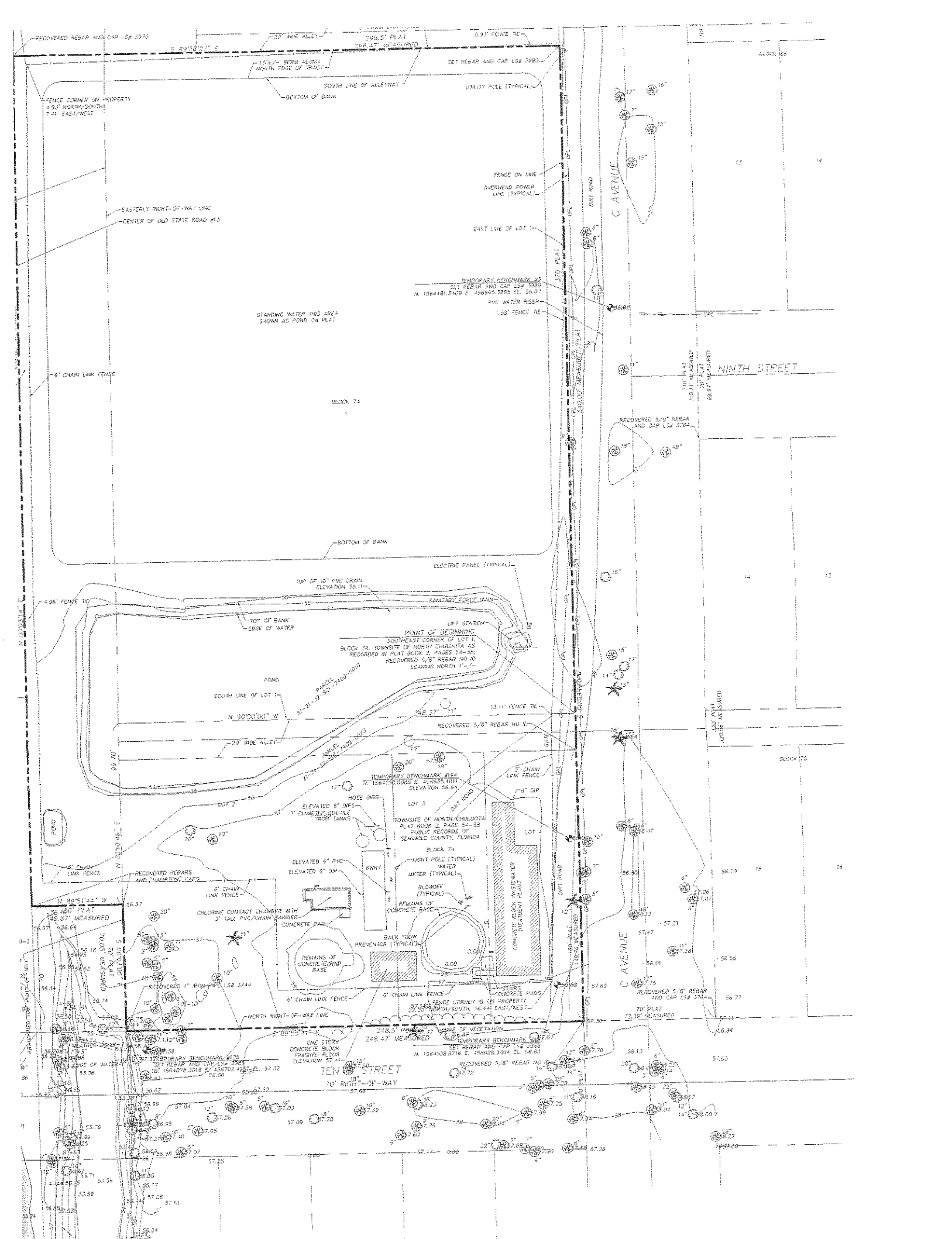
GENERAL INFORMATION	FLORIDA WASTEWATER SERVICES 1900 CR 419 CHULUOTA, FL A-5 DISTRICT, LDC SECTION 30.104(b)(3)
BACKGROUND / REQUEST	<ul style="list-style-type: none"> • THE APPLICANT IS REQUESTING TO EXPAND AN EXISTING WASTEWATER TREATMENT PLANT LOCATED IN THE R-1 DISTRICT, WHICH ONLY PERMITS PUBLIC UTILITY AND SERVICE STRUCTURES BY SPECIAL EXCEPTION. • THERE IS NO RECORD OF PREVIOUSLY GRANTED SPECIAL EXCEPTIONS FOR THIS PROPERTY. • THE CURRENT WASTEWATER TREATMENT PLANT HAS THE CAPACITY TO TREAT UP TO 100,000 GALLONS OF WASTEWATER PER DAY AND THE PROPOSED EXPANSION WOULD INCREASE TOTAL CAPACITY TO 400,000 GALLONS PER DAY.

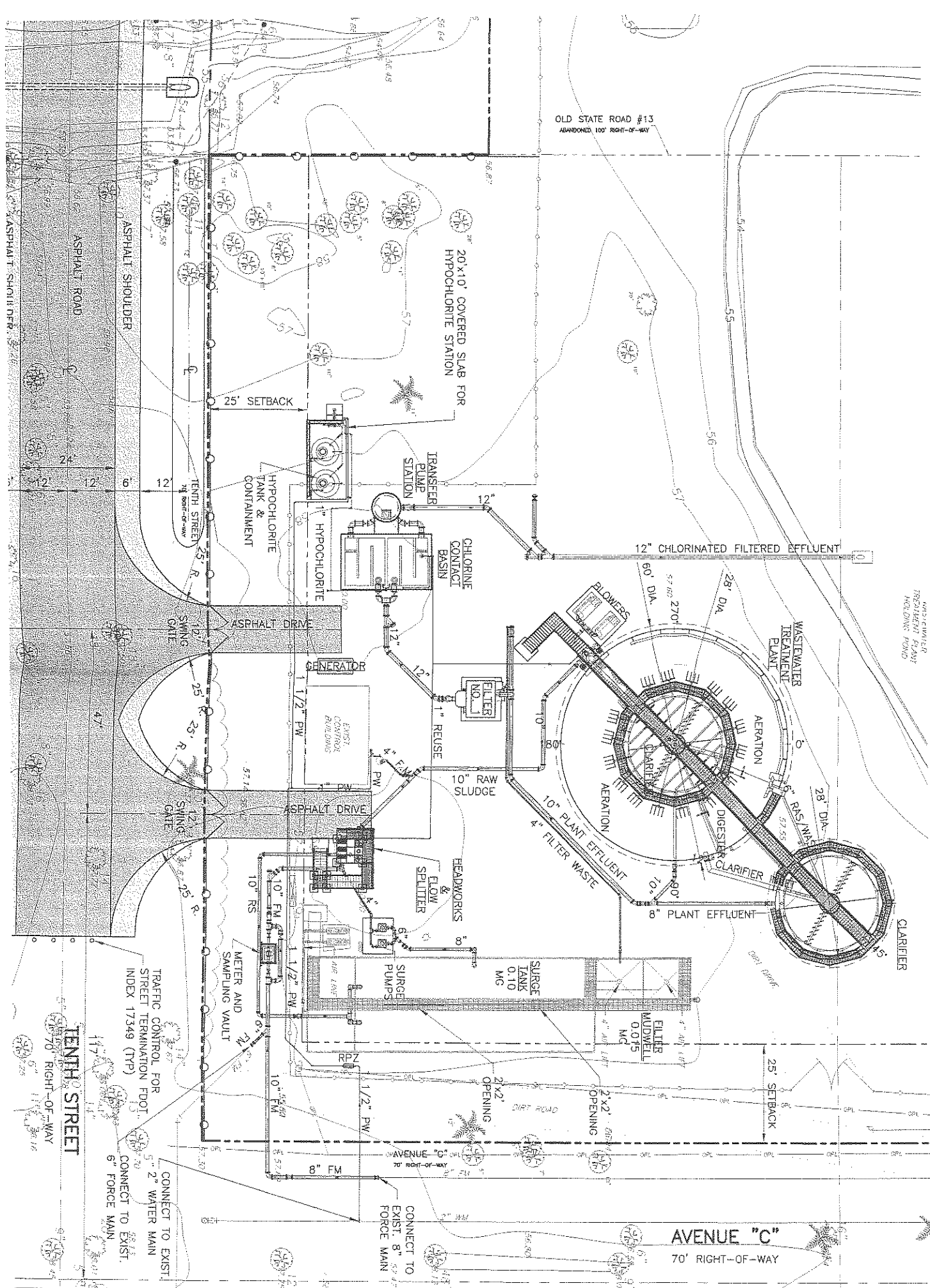
	<ul style="list-style-type: none">THE REQUESTED EXPANSION IS PROGRAMMED TO PRIMARILY SERVE SINGLE-FAMILY DEVELOPMENTS CURRENTLY UNDER CONSTRUCTION, PUBLIC SCHOOLS AND MINOR COMMERCIAL PARCELS IN THE FLORIDA WASTEWATER SERVICE AREA.																								
ZONING & FLU	<table><tr><th>DIRECTION</th><th>EXISTING ZONING</th><th>EXISTING FLU</th><th>USE OF PROPERTY</th></tr><tr><td>SITE</td><td>R-1</td><td>LDR</td><td>CHURCH</td></tr><tr><td>NORTH</td><td>R-1</td><td>LDR</td><td>RESIDENTIAL</td></tr><tr><td>SOUTH</td><td>R-1</td><td>LDR</td><td>RESIDENTIAL</td></tr><tr><td>EAST</td><td>R-1</td><td>LDR</td><td>VACANT</td></tr><tr><td>WEST</td><td>R-1</td><td>LDR</td><td>RESIDENTIAL</td></tr></table>	DIRECTION	EXISTING ZONING	EXISTING FLU	USE OF PROPERTY	SITE	R-1	LDR	CHURCH	NORTH	R-1	LDR	RESIDENTIAL	SOUTH	R-1	LDR	RESIDENTIAL	EAST	R-1	LDR	VACANT	WEST	R-1	LDR	RESIDENTIAL
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SPECIAL EXCEPTION CRITERIA	<p>THE BOARD OF ADJUSTMENT MAY GRANT A SPECIAL EXCEPTION ONLY UPON THE DETERMINATION THAT THE PROPOSED USE:</p> <ul style="list-style-type: none">A. IS NOT DETRIMENTAL TO THE CHARACTER OF THE AREA OR NEIGHBORHOOD OR INCONSISTENT WITH TRENDS OF DEVELOPMENT IN THE AREA; ANDB. DOES NOT HAVE UNDULY ADVERSE EFFECT ON EXISTING TRAFFIC PATTERNS, MOVEMENTS AND VOLUMES; ANDC. IS CONSISTENT WITH THE COUNTY'S COMPREHENSIVE PLAN; ANDD. MEETS ANY ADDITIONAL REQUIREMENTS SPECIFIED IN THE CODE SECTION AUTHORIZING THE USE IN A PARTICULAR ZONING DISTRICT OR CLASSIFICATION; ANDE. WILL NOT ADVERSELY AFFECT THE PUBLIC INTEREST.																								
FINDINGS	<ul style="list-style-type: none">THE R-1 DISTRICT PERMITS PUBLIC UTILITY AND SERVICE STRUCTURES BY SPECIAL EXCEPTION; THE PROPOSED PLANT EXPANSION WOULD OTHERWISE MEET THE APPLICABLE DIMENSIONAL REQUIRMENTS OF THE R-1 DISTRICT.THE EXPANSION OF THE FACILITY IN THE R-1 DISTRICT WOULD NOT BE DETRIMENTAL TO THE CHARACTER OF THE AREA WITH THE IMPOSITION OF THE CONDITIONS RECOMMENDED IN THIS REPORT.THOSE CONDITIONS ARE ENUMERATED IN THE ATTACHED DEVELOPMENT ORDER, WHICH WOULD MINIMIZE THE POTENTIAL OF THE PROPOSED PLANT EXPANSION TO CAUSE ADVERSE IMPACT TO THE SURROUNDING COMMUNITY BY ESTABLISHING STANDARDS FOR:<ul style="list-style-type: none">BUFFERING;LANDSCAPING;SURFACE IMPROVEMENTS TO 10TH STREET; ANDNOISE AND ODOR REDUCTION THROUGH THE PROVISION OF APPROPRIATE EQUIPMENT.THE PROPOSED FACILITY WOULD NOT HAVE UNDULY																								

	<p>ADVERSE IMPACTS UPON EXISTING TRAFFIC PATTERNS, MOVEMENTS OR INTENSITY. FOLLOWING AN EXPANSION OF THE TYPE PROPOSED, THE FACILITY WOULD GENERATE 2 TRIPS A DAY FROM A FACILITY OPERATOR AND 4 TRIPS A MONTH FROM A SLUDGE HAULER. TO OFFSET ANY POTENTIAL IMPACTS TO THE ADJOINING STREET NETWORK, THE APPLICANT WOULD BE REQUIRED TO IMPROVE 10TH STREET TO COUNTY STANDARDS, FROM COUNTY ROAD 419 TO THE ACCESS DRIVES SHOWN ON THE PROPOSED SITE PLAN. ACCESS DRIVE FROM AVENUE C, AN UNIMPROVED ROAD, WOULD BE PROHIBITED.</p> <ul style="list-style-type: none"> • THE COMPREHENSIVE PLAN IDENTIFIES FLORIDA WATER SERVICES AS THE SERVICE PROVIDER FOR WASTEWATER TREATMENT IN THE CHULUOTA SERVICE AREA. <ul style="list-style-type: none"> ○ FLORIDA WASTEWATER SERVICES ESTIMATE THAT CURRENT PLANT CAPACITY WILL BE EXCEEDED BY THE END OF 2004 BASED ON THE PROJECTED DEMAND FOR SERVICE. ○ COMPREHENSIVE PLAN POLICY 14.3.5 OF THE SANITARY SEWER ELEMENT REQUIRES THE SERVICE LEVELS OF WASTEWATER TREATMENT FACILITIES TO EQUAL OR EXCEED 60 PERCENT OF PERMITTED CAPACITY. ○ THE PROPOSED PLAN EXPANSION WOULD MEET THE INTENT OF THIS POLICY BY ENHANCING WASTEWATER SERVICE FOR EXISTING DEVELOPMENT, AS WELL AS PROVIDING ADDITIONAL CAPACITY FOR APPROVED FUTURE DEVELOPMENT.
<p>STAFF RECOMMENDATION</p>	<p>STAFF RECOMMENDS APPROVAL OF THE SPECIAL EXCEPTION BASED ON THE FOLLOWING CONDITIONS:</p> <ol style="list-style-type: none"> 1. THE FINAL SITE PLAN SHALL MEET ALL APPLICABLE SEMINOLE COUNTY LAND DEVELOPMENT CODE AND COMPREHENSIVE PLAN REGULATIONS. 2. ACCESS TO THE SITE SHALL BE RESTRICTED TO 10TH AVENUE; ACCESS FROM AVENUE C SHALL BE PROHIBITED. 3. 10TH STREET SHALL BE IMPROVED TO COUNTY STANDARDS, FROM COUNTY ROAD 419 TO THE ENTRANCE TO THE FACILITY. 4. A LANDSCAPE BUFFER AT LEAST TEN (10) FT IN WIDTH AND ATTAINING 100% OPACITY AND SIX (6) FT IN HEIGHT ONE YEAR AFTER PLANTING SHALL BE PROVIDED ALONG THE WEST PROPERTY LINE. 5. A SIX (6) FT HIGH MASONRY WALL SHALL BE CONSTRUCTED ALONG THE SOUTH AND EAST PROPERTY LINES. 6. EXTERIOR LIGHTING SHALL BE LIMITED TO SIXTEEN

	<p>(16) FEET IN HEIGHT AND SHALL UTILIZE CUT-OFF/SHOEBBOX STYLE LIGHTING; ILLUMINATION ONTO EXISTING PROPERTIES SHALL NOT EXCEED 0.5 FOOT CANDLES.</p> <p>7. BLOWERS SHALL MEET ALL APPLICABLE NOISE STANDARDS, AND SOUND ATTENUATION SHALL BE ADDED TO MONITOR FUTURE SOUND LEVELS.</p> <p>8. THE APPLICANT SHALL PROVIDE A PLAN FOR ODOR CONTROL TO MITIGATE ANY POTENTIAL IMPACTS.</p>
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ATTACHMENTS: Proposed Site Plan
Proposed Development Order
Chuluota Wastewater Treatment Plan Expansion Narrative
Chuluota Wastewater Service Area Map





SEMINOLE COUNTY APPROVAL DEVELOPMENT ORDER

On June 23, 2003, Seminole County issued this Development Order relating to and touching and concerning the following described property:

LEG LOTS 2, 3 & 4 & S ½ OF VACD ALLEY ADJ ON N BLK 74, NORTH
CHULUOTA, PB 2, PG 56

(The aforescribed legal description has been provided to Seminole County by the owner of the aforescribed property.)

FINDINGS OF FACT

Property Owners: SOUTHERN STATE UTILITIES, INC.
1000 COLOUR PLACE
APOPKA, FL 32703

Project Name: 10TH STREET (NORTH CHULUOTA)

Requested Development Approval:

1. SPECIAL EXCEPTION TO EXPAND AN EXISTING WASTEWATER TREATMENT PLANT ON PROPERTY ZONED R-1 (SINGLE-FAMILY DWELLING DISTRICT).

The Development Approval sought is consistent with the Seminole County Comprehensive Plan and will be developed consistent with and in compliance to applicable land development regulations and all other applicable regulations and ordinances.

The owner of the property has expressly agreed to be bound by and subject to the development conditions and commitments stated below and has covenanted and agreed to have such conditions and commitments run with, follow and perpetually burden the aforescribed property.

Prepared by: Kathy Fall
1101 East First Street
Sanford, Florida 32771

Order

NOW, THEREFORE, IT IS ORDERED AND AGREED THAT:

(1) The aforementioned application for development approval is **GRANTED**.

(2) All development shall fully comply with all of the codes and ordinances in effect in Seminole County at the time of issuance of permits including all impact fee ordinances.

(3) The conditions upon this development approval and the commitments made as to this development approval, all of which have been accepted by and agreed to by the owner of the property are as follows:

1. The final site plan shall meet all applicable Seminole County Land Development Code and Comprehensive Plan regulations.
2. Access to the site shall be restricted to 10th Avenue; access from Avenue C shall be prohibited.
3. 10th street shall be improved to County standards, from County Road 419 to the entrance to the facility.
4. A landscape buffer at least ten (10) ft in width and attaining 100% opacity and six (6) ft in height one year after planting shall be provided along the west property line.
5. A six (6) ft high masonry wall shall be constructed along the south and east property lines.
6. Exterior lighting shall be limited to sixteen (16) feet in height and shall utilize cut-off/shoebox style lighting; illumination onto existing properties shall not exceed 0.5 foot candles.
7. Blowers shall meet all applicable noise standards, and sound attenuation shall be added to monitor future sound levels
8. The applicant shall provide a plan for odor control to mitigate any potential impacts.

(4) This Development Order touches and concerns the aforescribed property and the conditions, commitments and provisions of this Development Order shall perpetually burden, run with and follow the said property and be a servitude upon and binding upon said property unless released in whole or part by action of Seminole County by virtue of a document of equal dignity herewith. The owner of the said

property has expressly covenanted and agreed to this provision and all other terms and provisions of this Development Order.

(5) The terms and provisions of this Order are not severable and in the event any portion of this Order shall be found to be invalid or illegal then the entire order shall be null and void.

Done and Ordered on the date first written above.

By: _____
Matthew West
Planning Manager

STATE OF FLORIDA)
COUNTY OF SEMINOLE)

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State and County aforesaid to take acknowledgments, personally appeared _____ who is personally known to me or who has produced _____ as identification and who executed the foregoing instrument.

WITNESS my hand and official seal in the County and State last aforesaid this _____ day of _____, 2003.

Notary Public, in and for the County and State
Aforementioned

My Commission Expires:

OWNER'S CONSENT AND COVENANT

COMES NOW, the owner, Southern State Utilities, Inc., on behalf of itself and its heirs, successors, assigns or transferees of any nature whatsoever and consents to, agrees with and covenants to perform and fully abide by the provisions, terms, conditions and commitments set forth in this Development Order.

Witness

Authorized Agent

Witness

Authorized Agent

STATE OF FLORIDA)

COUNTY OF SEMINOLE)

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State and County aforesaid to take acknowledgments, personally appeared Insert Name who is personally known to me or who has produced _____ as identification and who did take an oath.

WITNESS my hand and official seal in the County and State last aforesaid this ____ day of _____, 2003.

Notary Public, in and for the County and State
Aforementioned

My Commission Expires:

Chuluota Wastewater Treatment Plant Expansion Narrative

The Chuluota Wastewater Treatment Plant (WWTP) is located on a 0.39-acre parcel in the North Chuluota Subdivision, Section 28, Township 21 S, Range 31 E, at the northwest corner of Avenue C and 10th Street, as recorded in Plat Book 2, Page 8 in the city of Chuluota, Seminole County, Florida. Figure 1 shows the location of the WWTP as well as the effluent disposal site.

This parcel is zoned R-1 as are all of the surrounding lots within this developed area. The treatment facility provides wastewater service to the service territory as shown in Figure 1. The current operating permit allows the facility to treat up to 100,000 gallons per day. Major unit processes consist of aeration, secondary clarification, filtration, chlorination and aerobic digestion of residuals. The facility also contains a 300,000-gallon holding pond, control building, and a standby generator. Plant effluent is stored in the holding pond and reused by means of a spray irrigation system on a restricted access site northwest of the wastewater facility.

The service area for the Chuluota WWTP, shown in Figure 1, is approximately 1,736 acres and is comprised of mainly single-family homes, some multi-family units and minor commercial parcels. There are several, new, large subdivisions currently under construction within the existing service territory. These subdivisions, along with the historical growth have necessitated this plant expansion. Projections indicate that current plant capacity will be exceeded in late 2004. For this reason, Florida Water Services is proposing to expand the plant to accommodate 400,000 gallons per day. This expansion will meet projected flows within the current service territory until the year 2011.

According to the Flood Insurance Rate Map for Seminole County, Panel 170 of 250 of Map Number 12117C0170 E, the subject parcel lies with Zone X. This zone establishes area to be determined outside the 500-year flood plain (see Figure 2). The impervious area added to this plant due to this expansion is minimal. The structures added as part of this expansion will not have roofs and therefore will not add any additional impervious area. The rainwater will be treated with the incoming wastewater. Any new grading to be done will match existing drainage flow patterns.

In accordance with Seminole County Land Development Code, paved access is required to the nearest paved road. FWS is proposing to clear the right-of-way and pave 10th Street up to the access to this facility. This paved road will be a rural section to include drainage and will meet Seminole County standards for road construction.

During the lifecycle of the current WWTP, there have not been any complaints pertaining to odor or noise. This plant is situated on a parcel of land in a sparsely developed area of the City. We will specify that all new blowers installed will meet the applicable noise standards. We will address any future odor issues in the event that growth occurs in the surrounding lots, but we don't anticipate this to occur.

The current method of effluent disposal is by spray field application as shown in Figure 1. The proposed plant will have the capability to produce public reuse quality effluent. This quality effluent production will be made available to homeowners for irrigation, replacing potable water, if there is sufficient interest and the cost to the utility is feasible.

Residuals will be stored in the sludge holding tank until removal is required. A modification to the existing WWTP Operating Permit was issued March 12, 1999. This permit specified the method of disposal is to be by transport to a management facility. Currently, the sludge hauler is Shelley's Septic and no change in the contract is expected. Shelley's will haul the sludge and treat it at their management facility.

The biosolids will be removed approximately two times per month, generating four trips with a tanker truck. The sodium hypochlorite will be delivered two times per month generating four trips using a tanker delivery truck. The plant requires a daily visit by the operator generating 2 trips a day with a small pickup truck. Additional trips generated by this plant expansion will be minimal.

The chemical stored at this facility will be sodium hypochlorite, used for disinfection. This chemical is currently in use at the existing facility, but with the plant expansion additional quantities will be required to be stored on-site. The chemical will be stored in two 850-gallon containers. Each of these containers will have their own containment structures to capture the chemical in the event of the chemical container failure. This chemical solution is similar in composition to bleach and does not pose any danger to the surrounding residential community.

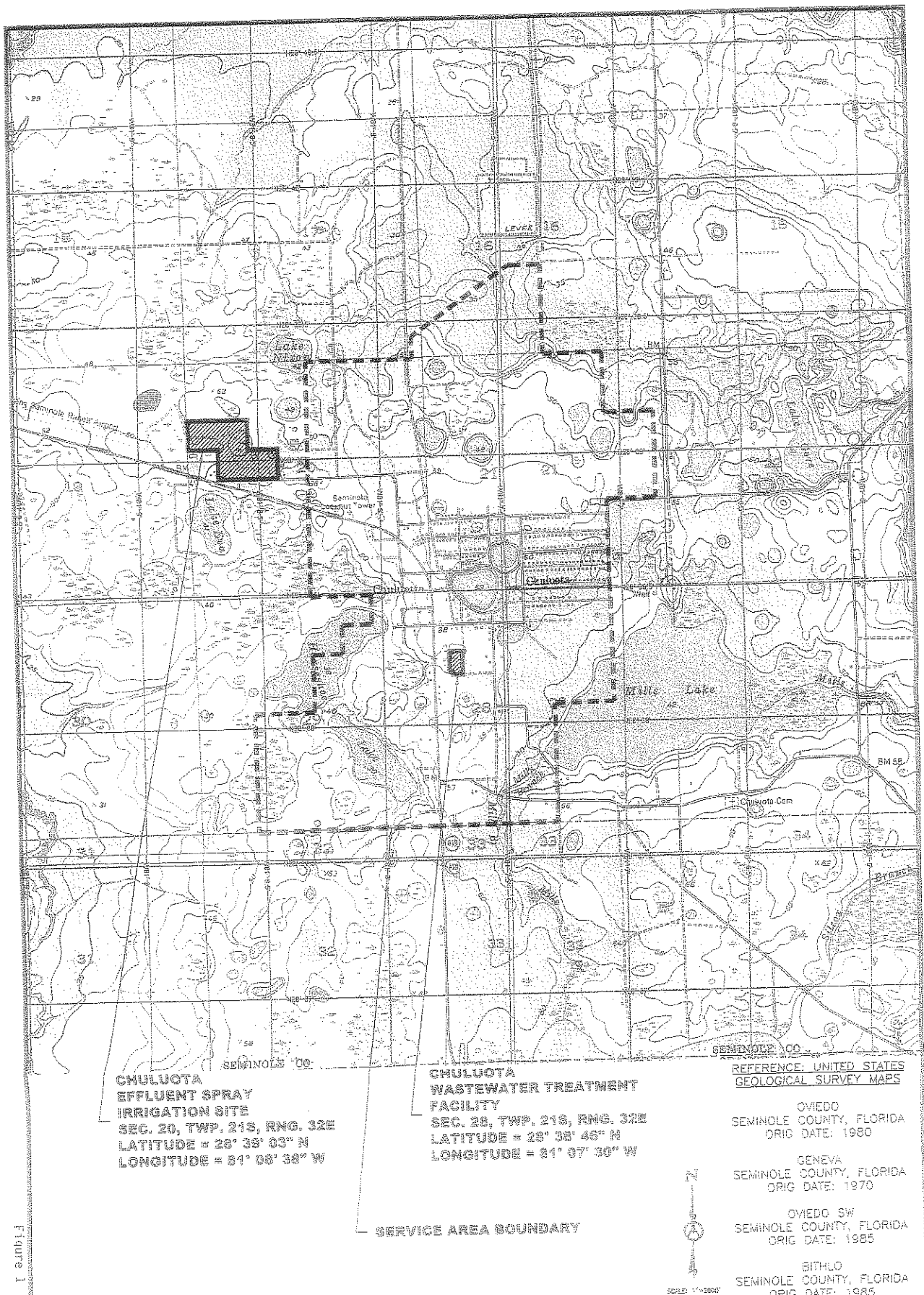


Figure 1



**CHULUOTA
WASTEWATER SERVICE AREA,
PLANT & DISPOSAL SYSTEM LOCATIONS**

FIGURE 1